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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

DU, THUAN N

ART UNIT PAPER NUMBER

2116

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/987,630

Applicant(s)

WEN ET AL.

Examiner

Thuan N. Du

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☒ Claim(s) 14 and 15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. Claims 1-15 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates et al. [Bates] (U.S. Patent No. 6,367,074).

4. Regarding claims 1-3, Bates teaches a method for starting a multiple operating systems including at least one PDA OS (Quicknote environment) and a basic OS (full-feature operating environment) [col. 3, line 64 to col. 4, line 2], comprising the steps of:

modifying BIOS contents to detect the multiple OS's pre-loaded in the computer [col. 3, line 62 to col. 4, line 3];

listing the detected multiple OS's in a menu on an output device of the computer for a user to select [col. 5, lines 10-14];

obtaining the selection information about an OS selected by the user from the menu [col. 5, lines 22-23; col. 6, lines 12-13]; and

starting the OS selected by the user [col. 5, lines 22-25; col. 6, lines 12-15].

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Bates does not explicitly teach some hardware device diagnosis steps are skipped to accelerate the power on speed. However, Bates discloses that certain tasks are performed at start up time before the loading of the selected OS [col. 4, line 65 to col. 5, line 1]. Then, the remaining tasks are performed after the selected OS is loaded [col. 5, lines 22-29]. Therefore, one of ordinary skill in the art would have readily recognized that Bates obviously performs only some hardware diagnosis steps before the loading of the selected OS. Performing only input device diagnosis steps would allow the user to be able to utilize the input device to make OS selection.

5. Regarding claims 4 and 6, Official Notice has taken mouse, keyboard, monitor or touch-control monitor are well-known input and/or output devices for inputting user's commands to the system and/or outputting system's information to the user.

6. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bates et al. [Bates] (U.S. Patent No. 6,367,074) and Vineyard, Jr. et al. [Vineyard] (U.S. Patent No. 6,727,920).

7. Regarding claim 5, Bates does not detail that the OS procedure obtains information of all the OS's pre-loaded in the system by reading OS partition information stored in the MBR.

Vineyard teaches that the OS partition information stored in the MBR is read in a multi-OS system [col. 2, lines 2-34].

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bates and Vineyard because they both teach a computer system containing a plurality of operating systems.

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8. Claims 7-10 and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates et al. [Bates] (U.S. Patent No. 6,367,074) and Cole et al. [Cole] (U.S. Publication No. 20020152372).

9. Regarding claims 7-9, Bates teaches a method for starting a multiple operating systems including at least one PDA OS (Quicknote environment) and a basic OS (full-feature operating environment) [col. 3, line 64 to col. 4, line 2], comprising the steps of:

modifying BIOS contents to detect the multiple OS's pre-loaded in the computer [col. 3, line 62 to col. 4, line 3];

listing the detected multiple OS's in a menu on an output device of the computer for a user to select [col. 5, lines 10-14];

obtaining the selection information about an OS selected by the user from the menu [col. 5, lines 22-23; col. 6, lines 12-13]; and

starting the OS selected by the user [col. 5, lines 22-25; col. 6, lines 12-15].

Bates does not explicitly teach some hardware device diagnosis steps are skipped to accelerate the power on speed. However, Bates discloses that certain tasks are performed at start up time before the loading of the selected OS [col. 4, line 65 to col. 5, line 1]. Then, the remaining tasks are performed after the selected OS is loaded [col. 5, lines 22-29]. Therefore, one of ordinary skill in the art would have readily recognized that Bates obviously performs only some hardware diagnosis steps before the loading of the selected OS. Performing only input device diagnosis steps would allow the user to be able to utilize the input device to make OS selection.

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Bates does not explicitly teach the system including a plurality hot keys, each of which directly start a unique PDA OS after power is turned on.

Cole teaches a portable computer system including a plurality hot keys (quick launch keys), each of which directly starts a unique PDA OS after power is turned on [paragraphs 0014, 0029].

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Bates to include quick launch keys taught by Cole. The modification would allow the user to instantly start the system for quick access to the needed information [Cole, para. 0023].

10. Regarding claim 10, Official Notice has taken mouse, keyboard, or touch-control monitor are well-known input devices for inputting user's commands to the system.

11. Regarding claim 12, Cole teaches that the number of hot keys is determined by the number of software programs [para. 0014]. One of ordinary skill in the art would have recognized that hot key is programmable. Therefore, it would have been obvious to one of ordinary skill in the art to program each of the hot keys to be corresponding to each of the operating systems. By doing so, the user is allowed to boot the system to his/her desired OS without going through the menu.

12. Regarding claim 13, one of ordinary skill in the art would have recognized that it would have been obvious to have a hot key table for mapping each of the hot keys with each of the operating system.

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13. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bates et al. [Bates] (U.S. Patent No. 6,367,074), Cole et al. [Cole] (U.S. Publication No. 20020152372) and Vineyard, Jr. et al. [Vineyard] (U.S. Patent No. 6,727,920).

14. Regarding claim 11, Bates and Cole do not detail that the OS procedure obtains information of all the OS's pre-loaded in the system by reading OS partition information stored in the MBR.

Vineyard teaches that the OS partition information stored in the MBR is read in a multi-OS system [col. 2, lines 2-34].

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Bates-Cole and Vineyard because they both teach a computer system containing a plurality of operating systems.

Allowable Subject Matter

15. Claims 14 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuan N. Du whose telephone number is (703) 308-6292. The examiner can normally be reached on Monday-Friday: 9:00 AM - 5:30 PM, EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H. Browne can be reached on (703) 308-1159.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

The fax number for the organization is (703) 872-9306.

A handwritten signature in black ink, appearing to read 'Thuan N. Du', is written over a horizontal dashed line.

Thuan N. Du
September 17, 2004